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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Group Art Unit: 1636

C. Frank Bennett, Elizabeth J. Ackermann, Eric E. Swayze and Lex M. Cowser

Examiner: Not Assigned

For: ANTISENSE MODULATION OF SURVIVIN EXPRESSION

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: ANTISENSE MODULATION OF SURVIVIN EXPRESSION the specification of which:

☐ is attached hereto.

☒ was filed on July 11, 2003 as Application Serial No. 10/618,553 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to the patentability of this application in accordance with 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a-d) of any foreign application(s) for patent or inventor's certificate listed below and having also identified below any foreign application for patent or inventor's certificate having a filing date before that of any application on which priority is claimed:

Priority Claimed (if X'd)	Country	Serial Number	Date Filed
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Serial Number	Date Filed	Patented/Pending/Abandoned
09/918,186	July 30, 2001	Pending
09/496,694	February 2, 2000	Patented
09/286,407	April 5, 1999	Patented
09/163,162	September 29, 1998	Patented

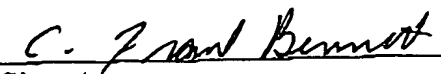
I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Serial Number	Date Filed

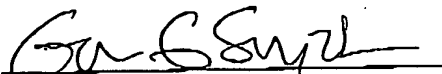
I hereby appoint the following attorney(s) and/or agent(s) associated with the following customer number, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

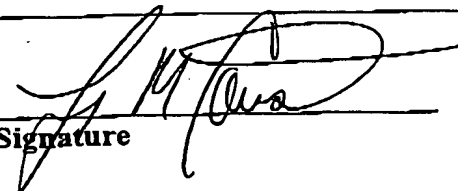
**36324**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>Name:</b> C. Frank Bennett	 Signature
<b>Mailing Address:</b> 1347 Cassins Street	<b>Date of Signature:</b> <u>12-04-03</u>
<b>City/State of Actual Residence:</b> Carlsbad, California 92009	<b>Citizenship:</b> United States of America

<b>Name:</b> Elizabeth J. Ackermann	_____ Signature
<b>Mailing Address:</b> 519 Santa Victoria	<b>Date of Signature:</b> _____
<b>City/State of Actual Residence:</b> Solana Beach, California 92075	<b>Citizenship:</b> United States of America

<b>Name:</b> Eric E. Swayze	 Signature
<b>Mailing Address:</b> 7789 Palenque Street	<b>Date of Signature:</b> <u>12/19/2003</u>
<b>City/State of Actual Residence:</b> Carlsbad, California 92009]	<b>Citizenship:</b> United States of America

<b>Name:</b> Lex M. Cowser	 Signature
<b>Mailing Address:</b> 1299 Parrott Drive	<b>Date of Signature:</b> <u>1/15/04</u>
<b>City/State of Actual Residence:</b> San Mateo, California 94402	<b>Citizenship:</b> United States of America



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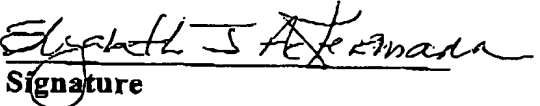
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<b>Name:</b> C. Frank Bennett	<b>Signature</b>  <b>Date of Signature:</b> _____  <b>Citizenship:</b> United States of America
<b>Mailing Address:</b> 1347 Cassins Street	
<b>City/State of Actual Residence:</b> Carlsbad, California 92009	

<b>Name:</b> Elizabeth J. Ackermann	<b>Signature</b>  <b>Date of Signature:</b> <u>12-21-03</u> <b>Citizenship:</b> United States of America
<b>Mailing Address:</b> 519 Santa Victoria	
<b>City/State of Actual Residence:</b> Solana Beach, California 92075	

<b>Name:</b> Eric E. Swayze	<b>Signature</b>  <b>Date of Signature:</b> _____  <b>Citizenship:</b> United States of America
<b>Mailing Address:</b> 7789 Palenque Street	
<b>City/State of Actual Residence:</b> Carlsbad, California 92009]	

<b>Name:</b> Lex M. Cowser	<b>Signature</b>  <b>Date of Signature:</b> _____  <b>Citizenship:</b> United States of America
<b>Mailing Address:</b> 1299 Parrott Drive	
<b>City/State of Actual Residence:</b> San Mateo, California 94402	